



DIGEST SUPPLEMENT

To Legislative Digest and History of Bills
Supplement No. 57*

FIFTY-NINTH LEGISLATURE

Wednesday, March 30, 2005

80th Day - 2005 Regular

SENATE

SB 5422-S
SB 5429-S
SB 5469-S
SB 5487-S
SB 5553-S
SB 5597-S
SB 5640-S
SB 5642-S
SB 5665-S2
SB 6100

HOUSE

HB 1037-S
HB 2292-S
HB 2309

LIST OF BILLS IN DIGEST SUPPLEMENTS

See 2005 Regular, Supplement 46 for List of Bills for Supplements 1 through 46

SENATE

SB 5029-S	Supp. 55	SB 5952-S	Supp. 53
SB 5060-S	Supp. 49	SB 5962	Supp. 47
SB 5089	Supp. 52	SB 5966	Supp. 52
SB 5101-S	Supp. 55	SB 5983-S	Supp. 47
SB 5110	Supp. 52	SB 6010	Supp. 55
SB 5111-S2	Supp. 52	SB 6086	Supp. 47
SB 5119-S	Supp. 55	SB 6087	Supp. 47
SB 5160	Supp. 53	SB 6088	Supp. 48
SB 5186-S	Supp. 52	SB 6089	Supp. 48
SB 5227-S	Supp. 55	SB 6090	Supp. 52
SB 5275-S	Supp. 49	SB 6091	Supp. 52
SB 5285-S	Supp. 53	SB 6092	Supp. 52
SB 5310-S	Supp. 55	SB 6093	Supp. 52
SB 5320-S	Supp. 56	SB 6094	Supp. 52
SB 5326-S	Supp. 56	SB 6095	Supp. 53
SB 5331-S	Supp. 56	SB 6096	Supp. 54
SB 5348-S	Supp. 49	SB 6097	Supp. 54
SB 5349-S	Supp. 56	SB 6098	Supp. 55
SB 5378-S	Supp. 56	SB 6099	Supp. 56
SB 5419-S	Supp. 56	SJM 8022	Supp. 52
SB 5432-S	Supp. 54		
SB 5432-S	Supp. 53		
SB 5445-S	Supp. 53		
SB 5510	Supp. 53		
SB 5539-S	Supp. 55		
SB 5581-S2	Supp. 52		
SB 5714	Supp. 54		
SB 5730-S	Supp. 54		
SB 5736-S	Supp. 49		
SB 5806-S	Supp. 54		
SB 5872-S	Supp. 49		

HOUSE

HB 1016	Supp. 50	HB 2301	Supp. 53
HB 1029-S	Supp. 50	HB 2302	Supp. 54
HB 1068	Supp. 50	HB 2303	Supp. 54
HB 1079-S	Supp. 47	HB 2304	Supp. 54
HB 1246	Supp. 48	HB 2305	Supp. 55
HB 1268	Supp. 49	HB 2306	Supp. 56
HB 1291-S2	Supp. 50	HB 2307	Supp. 56
HB 1314-S	Supp. 47	HB 2308	Supp. 56
HB 1401-S	Supp. 48	HJM 4021	Supp. 55
HB 1561	Supp. 48	HJR 4213	Supp. 55
HB 1607-S	Supp. 49	HCR 4409	Supp. 50
HB 1640-S	Supp. 50	HCR 4410	Supp. 51
HB 1830-S	Supp. 51		
HB 1883-S	Supp. 52		
HB 1903-S	Supp. 50		
HB 1917	Supp. 51		
HB 1970-S2	Supp. 47		
HB 2069-S2	Supp. 51		
HB 2097-S	Supp. 52		
HB 2185	Supp. 50		
HB 2254	Supp. 49		
HB 2259-S2	Supp. 51		
HB 2292	Supp. 48		
HB 2293	Supp. 48		
HB 2294	Supp. 49		
HB 2295	Supp. 49		
HB 2296	Supp. 51		
HB 2297	Supp. 53		
HB 2298	Supp. 53		
HB 2299	Supp. 53		
HB 2300	Supp. 53		

House Bills

HB 1037-S by House Committee on Appropriations (originally sponsored by Representative Sommers; by request of Governor Locke)

Making 2003-05 supplemental operating appropriations.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Makes 2003-05 supplemental operating appropriations.

-- 2005 REGULAR SESSION --

Mar 24 APP - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Mar 29 Passed to Rules Committee for second reading.

HB 2292-S by House Committee on Judiciary (originally sponsored by Representatives Lantz, Cody, Campbell, Kirby, Flannigan, Williams, Linville, Springer, Clibborn, Wood, Fromhold, Morrell, Hunt, Moeller, Green, Kilmer, Conway, O'Brien, Sells, Kenney, Kessler, Chase, Upthegrove, Ormsby, Lovick, McCoy and Santos)

Addressing health care liability reform.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that access to safe, affordable health care is one of the most important issues facing the citizens of Washington state.

Finds that the rising cost of medical malpractice insurance has caused some physicians, particularly those in high-risk specialties such as obstetrics and emergency room practice, to be unavailable when and where the citizens need them the most. The answers to these problems are varied and complex, requiring comprehensive solutions that encourage patient safety practices, increase oversight of medical malpractice insurance, and making the civil justice system more understandable, fair, and efficient for all the participants.

Finds that neither of the initiatives, Initiative 330 or Initiative 336, contain comprehensive, real solutions to the problems they are attempting to solve, and for this reason, offers the following single alternative to both of these initiatives to the citizens of this state.

Declares an intent to prioritize patient safety and the prevention of medical errors above all other considerations as legal changes are made to address the problem of high malpractice insurance premiums. Thousands of patients are injured each year as a result of medical errors, many of which can be avoided by supporting health care providers, facilities, and carriers in their efforts to reduce the incidence of those mistakes.

Declares an intent to provide incentives to settle cases before resorting to court, and to provide the option of a more fair, efficient, and streamlined alternative to trials for those for whom settlement negotiations do not work.

Declares an intent to provide the insurance commissioner with the tools and information necessary to regulate medical malpractice insurance rates and policies so that they are fair to both the insurers and the insured.

Declares that this act constitutes an alternative to Initiative 330. The secretary of state shall place this act on the ballot in conjunction with Initiative 330 at the next regular general election.

Declares that this act constitutes an alternative to Initiative 336. The secretary of state shall place this act on the ballot in conjunction with Initiative 336 at the next regular general election.

-- 2005 REGULAR SESSION --

Mar 25 JUDI - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Mar 29 Referred to Appropriations.

HB 2309 by Representative Linville; by request of Office of Financial Management

Modifying water right fees.

Finds that the fees associated with various actions of the department of ecology relating to the processing and administration of water rights are outdated and are insufficient even to recover the cost of handling the funds submitted. Additionally, water right processing fees are currently collected at three different stages of the water rights process, whereas reducing the number of instances of fee collection to two stages of the process would increase efficiency and reduce administrative costs. Furthermore, several current statutory fees are archaic or are otherwise covered by other general statutes, including the public disclosure act.

Declares an intent to update and modernize the fee schedule associated with water right-related actions of the department of ecology.

-- 2005 REGULAR SESSION --

Mar 29 First reading, referred to Appropriations.

Senate Bills

SB 5422-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Haugen, Kastama, Berkey and Shin)

Providing research and services for special purpose districts.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the municipal research council to contract for the provision of research and services to special purpose districts. A contract for at least two FTEs shall be made with a state agency, educational institution, or private consulting firm, that in the judgment of council members is qualified to provide such research and services.

Declares that research and services to special purpose districts shall consist of: (1) Studying and researching issues relating to special purpose district government; and

(2) Furnishing legal, technical, consultative, and field services to special purpose districts concerning issues relating to special purpose district government.

Appropriates the sum of two hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the public works trust fund to the special purpose district research services account.

Appropriates the sum of two hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the public works trust fund to the special purpose district research services account.

-- 2005 REGULAR SESSION --

Feb 18 GO - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Minority; do not pass.
Minority; without recommendation.
Referred to Ways & Means.

SB 5429-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Berkey, Schoesler, Rasmussen, Hargrove, Pflug, Johnson, Benson, Esser, Morton, Franklin, Honeyford, Shin and Stevens)

Requiring written justification when a risk assessment is reduced.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the risk category determined as provided in this act shall not be reduced without written justification by the department that the department has reviewed the initial risk assessment report and presentence reports, including any victim impact statement and criminal history, arguments by the prosecutor, the defense counsel, the offender, or an investigative law enforcement officer, and any history of infractions, and any violations of conditions of supervision in the community, and document, in the file, why the department believes that the risk to the public will not be compromised and the liability to the department will not be increased.

-- 2005 REGULAR SESSION --

Feb 15 HSC - Majority; 1st substitute bill be substituted, do pass.
On motion, referred to Ways & Means.

SB 5469-S by Senate Committee on International Trade & Economic Development (originally sponsored by Senators Schmidt, Regala, Fairley, Esser, Shin, Roach, Rasmussen, Kohl-Welles and Brown)

Creating an individual development account program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that economic well-being encompasses not only income, spending, and consumption, but also savings, investment, and asset-building. The building of assets, in particular, can improve individuals' economic independence and stability.

Finds that it is appropriate for the state to institute an asset-based strategy to assist low-income families. It is the purpose of this act to promote job training, home ownership, and business development among low-income individuals and to provide assistance in meeting the financial goals of low-income individuals.

Establishes an individual development account program within the department for the purpose of facilitating the creation by sponsoring organizations of individual development accounts for low-income individuals.

Establishes a foster youth individual development account program within the individual development account

program established pursuant to this act for the purpose of facilitating the creation by sponsoring organizations of individual development accounts for foster youth.

Creates an account in the custody of the state treasurer to be known as the individual development account program account.

Appropriates the sum of three million dollars, or as much thereof as may be necessary, from the general fund to the individual development account program account for the biennium ending June 30, 2007, to carry out the purposes of this act.

-- 2005 REGULAR SESSION --

Feb 17 ITED - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5487-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Keiser, Hewitt, Doumit, Delvin, Pridemore, Prentice, Schoesler, McAuliffe, Berkey, Rockefeller and Kohl-Welles)

Requiring the liquor control board to implement a retail business plan to improve efficiency and increase revenue.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the board to, consistent with, and in addition to, the existing retail business plan, implement strategies to improve the efficiency of retail sales operations and maximize revenue-generating opportunities. Strategies to be implemented shall include, but are not limited to: (1) Expanding store operations to include Sunday sales in selected liquor stores. Sunday sales are optional for liquor vendors operating agency stores;

(2) Implementing a plan of in-store liquor merchandising, including point-of-sale advertising, and product specific point-of-sale promotional displays and carousels, including displays designed and provided by vendors; and

(3) Implementing a plan for in-store liquor merchandising of brands. The plan may not include provisions for selling liquor-related items other than those items previously authorized.

Provides that, by September 1, 2005, the board shall expand operations in at least twenty state-operated retail stores to include Sundays.

Requires the board to select the stores that are expected to gross the most revenues on Sunday by considering factors including, but not limited to, population density, proximity to shopping centers, and proximity to other businesses that are open on Sunday.

Directs the board to track gross sales and expenses of the selected stores and compare them to previous years' sales and projected sales and expenses before opening on Sunday. The board shall present this information to the appropriate policy and fiscal committees of the legislature by January 31, 2007.

Provides that, before the board determines which state liquor stores will be open on Sundays, it shall give: (1) Due consideration to the location of the liquor store with respect to the proximity of places of worship, schools, and public institutions;

(2) Due consideration to motor vehicle accident data in the proximity of the liquor store; and

(3) Written notice by certified mail of the proposed Sunday opening, including proposed Sunday opening hours,

to places of worship, schools, and public institutions within five hundred feet of the liquor store proposed to be open on Sunday.

Repeals RCW 66.16.080.

-- 2005 REGULAR SESSION --

- Feb 23 LCRD - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
And refer to Ways & Means.
Referred to Ways & Means.
- Mar 7 WM - Majority; do pass 1st substitute bill proposed by Labor, Commerce, Research & Development.
Minority; do not pass.
Minority; without recommendation.
Passed to Rules Committee for second reading.
- Mar 10 Made eligible to be placed on second reading.
- Mar 11 Placed on second reading by Rules Committee.

SB 5553-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Brandland, Kohl-Welles, Hargrove and Regala)

Creating a pilot program for live scan devices. Revised for 1st Substitute: Creating a pilot program for electronic fingerprinting technology.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that creating a pilot program, by strategically placing several live-scan devices in government offices throughout the state, will help employers and prospective employees to more easily gather and transmit data for noncriminal justice purposes.

Requires that, after the results of a background check for noncriminal justice purposes have been obtained and transmitted to the requesting party, the electronic files of the fingerprint images shall be destroyed. The electronic files containing the fingerprint images that are gathered and transmitted pursuant to this act shall not be retained by the Washington state patrol, the educational service district, or any state or local agency or by any private party hired to gather or transmit the electronic fingerprints.

Appropriates the amount of two hundred seventy thousand dollars, or as much thereof as may be necessary, from the state general fund for the fiscal year ending June 30, 2006, to the superintendent of public instruction. The amount in this provision is provided solely to purchase a live-scan device for each educational service district, to be used for noncriminal justice purposes.

-- 2005 REGULAR SESSION --

- Feb 23 HSC - Majority; 1st substitute bill be substituted, do pass.
On motion, referred to Ways & Means.

SB 5597-S by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rasmussen, Schoesler, Brown, Prentice, Roach, Jacobsen, Kastama, Shin, Fraser, Kline and Kohl-Welles)

Funding farmers market nutrition programs.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that: (1) The farmers market nutrition programs promote health, alleviate hunger, prevent obesity, and encourage the development of good eating habits by enabling low-income women to purchase locally grown fresh fruit and vegetables for themselves and their young children and low-income and homebound seniors to purchase locally grown fresh fruit and vegetables for themselves through farmers markets, congregate meals sites, and senior housing.

(2) The farmers market nutrition programs support small farmers and rural economies through the promotion of Washington state agriculture.

Provides that, during the 2005-2007 biennium, an additional four hundred thousand dollars from the general fund--state are appropriated to the department of health to maintain 2004 participation levels for the farmers market nutrition program for women, infants, and children.

Provides that, during the 2005-2007 biennium, seven hundred fifty thousand dollars from the general fund--state are appropriated to the department of social and health services to maintain 2004 participation levels for the senior farmers market nutrition program.

-- 2005 REGULAR SESSION --

- Feb 10 ARED - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5640-S by Senate Committee on International Trade & Economic Development (originally sponsored by Senators Eide, Haugen, Shin and Rasmussen)

Exempting royalty income on patents and copyrights from business and occupation tax for five years.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the provisions of chapter 82.04 RCW do not apply to amounts received as royalties for copyrights or patents for five years, beginning with the date the copyright is registered or patent is filed. This act applies to royalties received for copyrights registered or patents issued after June 30, 2005.

-- 2005 REGULAR SESSION --

- Feb 18 ITED - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5642-S by Senate Committee on International Trade & Economic Development (originally sponsored by Senators Eide, Haugen, Shin, Keiser, Rasmussen, McAuliffe and Kohl-Welles)

Establishing the business and job retention and expansion program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares it is the purpose of this act to authorize and fund the creation of a statewide business and job retention program that places primary reliance on locally based business and job retention programs to assist businesses that are likely to close, fail, or experience a permanent mass

layoff. The state's primary role in the business and job retention program is to provide continuing financial and technical assistance and training to the locally based business and job retention programs to ensure their success.

Establishes within the department of community, trade, and economic development the business and job retention and expansion program.

Requires the department of community, trade, and economic development to draw upon its existing resources, employment and economic data from the employment security department, and data from the department of licensing and the department of revenue and other sources, to do nonduplicative analyses of trends in the state's industries and work forces. The department shall make such analyses available to relevant businesses, labor organizations or work forces, local governments, economic development organizations, early warning programs, and business and job retention and expansion programs, and shall work with them to develop long-term strategies for economic growth and revitalization.

Directs the employment security department to: (1) Assess the number and causes of potential plant closures and mass layoffs as covered by the federal worker adjustment and retraining notification act;

(2) Assess the number and causes of permanent mass layoffs and closures using the permanent mass layoff and plant closure data base that is presently funded by the federal government; and

(3) Supply the director of the department of community, trade, and economic development with data gathered under this subsection, which will allow the state and local components of the business and job retention and expansion program to prioritize delivery of service to distressed, mature, and cyclical industries.

Appropriates the sum of six hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund--state to the department of community, trade, and economic development for the purposes of this act.

Appropriates the sum of six hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund--state to the department of community, trade, and economic development for the purposes of this act.

-- 2005 REGULAR SESSION --

Feb 18 ITED - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Minority; do not pass.
Referred to Ways & Means.

SB 5665-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Parlette, Schoesler, Hewitt, Honeyford and Mulliken)

Requiring workers to report accidents. Revised for 1st Substitute: Requiring reporting of industrial insurance injuries. Revised for 2nd Substitute: Implementing the joint legislative audit and review committee's recommendation on reporting industrial insurance injuries.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Implements the joint legislative audit and review committee's recommendation on reporting industrial insurance injuries.

-- 2005 REGULAR SESSION --

Mar 28 WM - Majority; 2nd substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 6100 by Senator Prentice

Regarding revenue and taxation.

Revises provisions relating to revenue and taxation.

-- 2005 REGULAR SESSION --

Mar 29 First reading, referred to Ways & Means.